

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

THE DUPAGE COUNTY BOARD OF  
ELECTION COMMISSIONERS, et al.

V.

ILLINOIS STATE BOARD OF ELECTIONS,  
et al.

CASE NUMBER:

08 C 232

ASSIGNED JUDGE:

DESIGNATED

MAGISTRATE JUDGE:

JUDGE CASTILLO  
MAGISTRATE JUDGE COX

TO: (Name and address of Defendant)

Bill Foster  
39W341 Preston Circle  
Geneva, IL 60134

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Patrick K. Bond  
Bond, Dickson & Associates, P.C.  
301 S. County Farm Road, Suite E  
Wheaton, IL 60187

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

*Amya Ellis*

(By) DEPUTY CLERK

January 10, 2008

Date



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<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 20px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: _____            _____         </div> <div style="margin-bottom: 20px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.            Name of person with whom the summons and complaint were left: _____         </div> <div style="margin-bottom: 20px;"> <input type="checkbox"/> Returned unexecuted: _____            _____            _____         </div> <div> <input type="checkbox"/> Other (specify): _____            _____            _____         </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i> _____</p> <p style="text-align: center;">_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THE DUPAGE COUNTY BOARD OF ELECTION )  
COMMISSIONERS, a body politic; KAMI )  
HIERONYMUS, not individually, but as County Clerk of )  
Bureau County; SHARON HOLMES, not individually, )  
but as County Clerk of DeKalb County; RENNETA )  
MICKELSON, not individually, but as County Clerk of )  
Kendall County; NANCY NELSON, not individually, but )  
as County Clerk of Lee County; BARBARA M. LINK, )  
not individually, but as County Clerk of Henry County; )  
JOHN A. CUNNINGHAM, not individually, but as )  
County Clerk of Kane County; and the CITY OF )  
AURORA BOARD OF ELECTION COMMISSIONERS, )  
a body politic, )

Plaintiffs, )

vs. )

Case No. 08 CV 232

ILLINOIS STATE BOARD OF ELECTIONS, a body )  
politic; and JOHN LAESCH, JOTHAM STEIN, BILL )  
FOSTER, each individually, as certified Democratic )  
candidates for the February 5, 2008, Special Primary )  
Election for the 14th Congressional District; CHRIS )  
LAUZEN and JIM OBERWEIS, each individually, as )  
certified Republican candidates for the February 5, 2008, )  
Special Primary Election for the 14th Congressional )  
District, )

Defendants. )

**AFFIDAVIT OF PROOF OF SERVICE**

I, Jerrold J. Seago, certify that I served a copy of the attached

Summons and Complaint on Defendant, BILL FOSTER, as follows:



(a) (Individual defendant personal):

By leaving a copy of the Summons and Complaint with the individual Defendant personally.



(b) (Individual defendant abode):

By leaving a copy of the Summons and Complaint at the usual place of abode of the individual Defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the Summons in a sealed envelope with postage fully prepaid, addressed to the individual defendant at his/her place of abode.

☐

(c) (Other services): \_\_\_\_\_

☐

(d) (Unable to serve): By \_\_\_\_\_

Name of Defendant: Bill Foster

Name of Person Summons given to: Bill Foster

Sex: M Race: Caucasian Approx. Age: 52

Place of Service: 39W341 Preston Circle, Geneva, IL 60134

Date of Service: ~~12/31~~ 1/11/08 Time: 12:30 P.M.

Served By:

Jerald J. Seago  
Signature

Jerald J. Seago  
Print Name

Subscribed and Sworn to before me on  
this 14<sup>th</sup> day of January, 2008.

Rebecca A. Fleming  
Notary Public

